

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70187 of 2025**

Arising Out of PS. Case No.-90 Year-2025 Thana- Rasalpur District- Bhagalpur

Gautam Kumar Yadav @ Gautam Kumar S/o Indradeo Yadav R/o Village-  
Parasbanna, P.S.- Pirpainty, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner : Dr. Manoj Kumar, Advocate

For the State : Mr. Ram Sevak Choudhary, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      08-10-2025                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 96 of the B.N.S..

3. As per the prosecution case, it is alleged that this petitioner kidnapped the minor daughter of informant for the purpose of marriage.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. As a matter of fact, the victim, in her statement recorded under Section 183 of the B.N.S.S., has denied the prosecution case and has categorically stated that she, out of her own sweet will, has solemnized marriage with this petitioner. It is further



submitted that as per academic certificates of the victim, at the time of alleged occurrence, she was 16 years and 5 months old and in this connection, learned counsel for the petitioner has placed reliance upon order of the Division Bench of this Hon'ble Court dated 23.09.2010 in ***Cr.W.J.C. No. 991 of 2010 (Sahebi Khatoon @ Sahebi Versus State of Bihar and other)*** wherein this Court has directed to treat a girl as major in case her age assessed to be between 16 to 17 years. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case, statement of the victim recorded under Section 183 B.N.S.S., the law laid down by this Court and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate Ist Class,



Bhagalpur in connection with Rasalpur P.S. Case No. 90 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

**(Prabhat Kumar Singh, J)**

shashank/-

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